

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT CHILDRESS,

Petitioner,

Civil Action No. 2: 12-cv-14511

v.

Honorable George Caram Steeh

RAYMOND BOOKER,

Respondent.

_____/

ORDER GRANTING MOTION FOR ENLARGEMENT OF TIME [ECF NO. 20]

This habeas matter is before the Court because Michigan prisoner Robert Childress filed a motion requesting an extension of time in which to file his reply to Respondent's answer to his habeas petition. Pet'r's Mot. May 13, 2013, ECF No. 20. Childress filed his habeas petition on October 12, 2012. See ECF No. 1. On October 22, 2012, the Court ordered Respondent to file his response, and the necessary Rule 5 materials, by April 19, 2013. See ECF No. 5. In that order, the Court also gave Childress forty-five days in which to file a reply to Respondent's answer. Respondent complied with the Court's order and filed all materials on April 19, 2013. See ECF No. 17 & 18.

Subsequently, on April 22, 2013, Childress notified the Court that he was paroled on April 17, 2013, and provided the Court with his new address. See ECF No. 19. As a result of being paroled, Childress states that he did not receive the necessary materials from Respondent. He requests that the Court provide him with those materials so that he can file a reply. He also requests additional time in which to file his reply.

The Court grants Childress's motion and will allow him an additional forty-five days, from the date of this order, in which to file his reply to Respondent's answer. The Court finds that Respondent will not be prejudiced by granting the motion. Also, the Attorney General's Office has been notified of Childress's situation and will re-serve him with the necessary materials.

SO ORDERED.

Dated: May 16, 2013

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on May 16, 2013, by electronic and/or ordinary mail and also on Robert Lee Childress Jr., Fed. Reg. No. 25851-039, Sanilac County Jail, 65 N. Elk Street, Sandusky, MI 48471.

s/Barbara Radke
Deputy Clerk